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6 Attorneys for Plaintiff JORGE A. ZEPEDA,  
7 on behalf of himself and others similarly situated

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION**

10  
11 JORGE A. ZEPEDA, an individual, on  
12 behalf of himself and others similarly  
situated,

13 Plaintiff,

14 vs.

15 MASTEC NETWORK SOLUTIONS,  
16 LLC, a Florida limited liability  
company; MASTEC SERVICES  
COMPANY, INC., a Florida  
corporation; MASTEC NETWORK  
SOLUTIONS, INC., a Florida  
corporation; WESTOWER  
COMMUNICATIONS INC., a  
19 Delaware corporation; and DOES 1  
through 50, inclusive,

20 Defendants.

Case No.: 5:18-cv-00749-VAP-SHK  
**CLASS ACTION**

**NOTICE OF UNOPPOSED MOTION  
AND MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT, APPROVAL OF  
CLASS NOTICE, AND SETTING  
FINAL APPROVAL HEARING**

*[Filed concurrently with Memorandum of  
Points and Authorities; Declarations of  
David Yeremian and Alvin B. Lindsay;  
[Proposed] Order]*

Date: March 25, 2019  
Time: 2:00 p.m.  
Judge: Hon. Virginia A. Phillips  
Location: First Street Court House  
Courtroom 8A  
350 W. 1st Street  
Los Angeles, CA 90012

Original Complaint: February 16, 2018  
Removed: April 12, 2018  
First Amended Complaint: June 29, 2018

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that, on **March 25, 2019**, at **2:00 p.m.** or as soon  
3 thereafter as counsel may be heard, in Courtroom 8A of this Court, located at 350  
4 West 1st Street, Los Angeles, California, before the Honorable Virginia A. Phillips,  
5 Plaintiff JORGE A. ZEPEDA (“Plaintiff”), on behalf of himself and all other  
6 similarly situated employees of Defendants MASTEC NETWORK SOLUTIONS,  
7 LLC and MASTEC SERVICES COMPANY, INC. (collectively “Defendants” or  
8 “MasTec”), will and hereby does move this Court for preliminary approval of the  
9 parties’ Joint Stipulation of Class Action Settlement and Release (“Settlement” or  
10 “Settlement Agreement”), which proposes a fair and reasonable resolution of all of  
11 Plaintiff’s class and representative claims against Defendants in this action.

12 Plaintiff respectfully requests entry of an Order (1) conditionally certifying a  
13 Class comprised of Defendants’ non-exempt California employees for settlement  
14 purposes under the Federal Rules of Civil Procedure, Rule 23 (e.g., “Rule 23”); (2)  
15 preliminarily approving the parties’ Settlement Agreement; (3) appointing Plaintiff as  
16 the Class Representative for the Class and Plaintiff’s counsel as Class Counsel; (4)  
17 approving the form of the parties’ proposed Class Notice; and (5) scheduling a  
18 hearing on the final approval of the Settlement and approval of the application of  
19 Class Counsel and Plaintiff for their requested attorneys’ fees, costs, and Class  
20 representative enhancement award.

21 Plaintiff respectfully submits good cause exists for granting the Motion for the  
22 reasons set forth in the concurrently filed documents. Defendants’ counsel has  
23 reviewed the documents being filed in support of this Motion and does not oppose it,  
24 though Defendants have reserved the right to submit a Notice of Non-Opposition,  
25 together with any additional points and authorities for the Court’s consideration.

26 The basis for this Motion is that the proposed Settlement is fair, adequate, and  
27 reasonable and in the best interests of the Class members as a whole, and the  
28 procedures proposed by the parties are adequate to ensure the opportunity of Class

1 members to participate in, opt out of, or object to the Settlement.

2 This Motion is based upon this Notice of Motion and Motion, the  
3 Memorandum of Points and Authorities and other documents filed herewith,  
4 including the Settlement Agreement, the Class Notice, the Declarations of Class  
5 Counsel and any of their exhibits, the [Proposed] Order granting preliminary  
6 approval as addressed above, and the other pleadings and records on file in this  
7 action, and the presentations of counsel and such oral or documentary evidence as  
8 may be presented at the hearing on this unopposed Motion.

9  
10 DATED: February 25, 2019 DAVID YEREMIAN & ASSOCIATES, INC.

11  
12 By: /s/ David Yeremian  
13 David Yeremian  
14 Alvin B. Lindsay  
15 Attorneys for Plaintiff JORGE A.  
16 ZEPEDA and others similarly situated

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